

**GEORGIA STATE BOARD OF OCCUPATIONAL THERAPY
MINUTES OF BOARD MEETING
March 17, 2006**

A meeting of the Georgia State Board of Occupational Therapy was held on March 17, 2006 at the Secretary of State Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia with the following members present:

Members Present:

Kendyl R. Brock, OTR/L, CHT, President
Kathleen H. Conyers, OTR/L, Vice President
Donna J. Domyslawski, OTR/L
Mary Louise Austin, Cognizant
Karen L. Cadaret, COTA/L

Others Present:

Brig Zimmerman, Executive Director Serena Gadson, Application Specialist
Calandra Burke, Board Secretary
Wylencia Monroe, Asst. Atty. General
Bikram, Mohanty, GOTA Liaison

Ms. Brock established a quorum of the Board was present and called the Board meeting to order at 9:55 a.m.

Agenda: The agenda was reviewed and revised

Ms. Austin moved and Ms. Domyslawski seconded and the Board voted to enter into Executive Session in accordance with O.C.G.A. §43-1-19(h)(2)&(4), O.C.G.A. §43-1-2(k)(1)(2), O.C.G.A. §43-1-2(k)(4) and O.C.G.A. §50-14-2(1) to deliberate on Applications and the Cognizant Report and to receive information on Applications and Complaints. Voting in favor of the motion were those present who included Board Members Brock, Domyslawski, Austin and Conyers. The Board concluded Executive Session in order to vote on these matters and to continue with the public session.

Public Hearing:

Rule 671- 4- .02 Unprofessional Conduct Defined.

Kendyl Brock, President, established that a quorum was present, and called the Public Hearing to order at 10:05 A.M. As there were no comments submitted and no members of the public attended the hearing, the public hearing was adjourned at 10:10 A.M.

Ms. Cadaret moved and Ms. Austin seconded and the Board voted that the formulation and adoption of Rule 671-4-.02 do not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of the applicable laws as provided by the Attorney General.

Ms. Cadaret moved and Ms. Austin seconded and the Board voted that it is not legal or feasible to meet the objectives of the applicable laws to adopt or implement differing actions for businesses as listed at O.C.G.A. § 50-13-4(3)(A),(B),(C),&(D). The formulation and adoption of this rule will impact every licensee in the same manner and each licensee is independently licensed, owned and operated in the field of Occupational Therapy.

After discussion and consideration of the rule change, Ms. Cadaret moved and Ms. Austin seconded and the Board voted to adopt the proposed rule 671-4-.02 as posted.

671-4-.02 Unprofessional Conduct Defined.

Unprofessional conduct shall include, but not be limited to, the following:

- (a) Obtaining or attempting to obtain a license by fraud, misrepresentation, or concealment of material facts;
- (b) Violating the ethics of occupational therapy as set forth by the Georgia Board of Occupational Therapy;
- (c) Being grossly negligent in the practice of occupational therapy or as an occupational therapy assistant;
- (d) Using drugs or intoxicating liquors to the extent that these effect the licensee's professional competence;
- (e) Practicing occupational therapy after being adjudged mentally incompetent by a court of competent jurisdiction;
- (f) Being convicted of a crime other than minor offenses defined as "minor misdemeanors", "violations" or "offenses" in any court if the acts for which he or she was convicted are found by the Board to have a direct bearing on whether he or she should be entrusted to serve the public in the capacity of an occupational therapist or occupational therapy assistant;
- (g) Using or holding yourself out as being able to utilize occupational therapy techniques involving physical agent modalities when not certified by the Board to use physical agent modalities;
- ~~(g)~~ (h) Having committed any other conduct which ordinary and reasonable ~~men~~ individuals would consider unprofessional.

Rule 671-3-.08 Renewal of License/Penalties/Continuing Education Requirements

Ms. Cadaret moved and Ms. Austin seconded and the Board voted that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A § 43-1-19, 43-28-12, and 43-28-14.

Ms. Cadaret moved and Ms. Austin seconded and the Board voted that it is not legal or feasible to meet the objectives of O.C.G.A. § 43-1-19, 43-28-12, and 43-28-14 to adopt or implement differing actions for businesses as listed at O.C.G.A. § 50-13-4(3)(A),(B),(C),&(D) and that the formulation and adoption of this rule will impact every licensee in the same manner and each licensee is independently licensed, owned and operated in the field of Occupational Therapy.

Ms. Cadaret moved and Ms. Austin seconded and the Board voted to re-post the Notice of Intent to Adopt and Notice of Hearing for the proposed rule change to rule 671-3-.08 for no less than 30 days prior to May 19, 2006 when the Board will consider the adoption of the proposed rule change during its regularly scheduled meeting beginning at 10:10am:

671-3-.08 Renewal of License/Penalties/Continuing Education Requirements.

~~(1) A license issued to each occupational therapist and occupational therapy assistant by the Board shall expire on March 31st ; of even numbered years. The license may be renewed upon submission of the renewal application; and payment of the required fee, provided all requirements have been met. and proof of completion of specified continuing education hours. Refer to fee schedule, and paragraph (5) of this section of the Rules.~~

~~(2) A license that is renewed on or before January 31st shall receive a renewal discount.~~

Occupational Therapy Board Meeting
March 17, 2006

~~A license that is renewed between February 1 and March 31st shall not be eligible for a discount. Refer to fee schedule.~~

~~(3) (2)~~ A license that is not renewed on or before March 31st of the renewal year shall be deemed lapsed. lapse and by operation of law be revoked for failure to renew. An application for restoration shall be required as provided for in Rule 671- 3-.09 in order to seek to obtain a license to practice in this State. Practicing with an expired license is prohibited by law and practice during this period may result in disciplinary action for unlicensed practice.

~~(4) An occupational therapist or occupational therapy assistant who has allowed his/her license to become revoked for failure to renew must apply for restoration of the license as provided for in 671- 3-.09 in order to practice in this State.~~

~~(5) (3)~~ A minimum of twenty-four (24) contact clock hours of continuing education related to occupational therapy practice is required for renewal except as otherwise provided in this chapter. At least sixteen (16) hours must be related to direct "hands on" patient care (dpc). Up to eight (8) hours may be in related areas such as administration, supervision, education, documentation, quality assurance, ethics, research methods, professional presentations, and providing Level II fieldwork supervision.

(a) Continuing Education (CE) hours obtained from January 1st until March 31st of an even numbered year will be counted toward the following biennium renewal period rather than the current biennium renewal period if the licensee has obtained all hours required for renewal by December 31st of the prior odd numbered year.

~~(a) (b)~~ Direct patient care continuing education includes attendance at live presentations such as workshops, seminars, conferences or formal academic course work. Up to four (4) hours can be obtained by means of in-service educational programs, electronic or web based courses, formal self study courses or computer learning activities. See Rule 671-3-08~~(10)(a)(4)-(8)~~ (7) for documentation requirements.

~~(b) (c)~~ General continuing education includes up to four (4) hours for each of the following activities including independent study, mentorship, Level II fieldwork supervision, published professional writing, instructional presentations, research, grants, professional meetings and related activities and up to four (4) hours can be by means of in-service educational programs, electronic or web based courses, formal self study courses, satellite broadcasts or computer learning activities.

~~(c) (d)~~ Of the twenty-four (24) hours, no more than eight (8) continuing education hours may be in self study and no more than four (4) hours in the area of general continuing education.

~~(d) (e)~~ Each licensee must complete a minimum of two (2) hours of continuing education in the ethics of occupational therapy practice.

~~(e) (f)~~ Definitions:

1. Contact Hour: For purposes of these rules, a contact hour is defined as actual time spent in instruction or organized learning experience excluding meals, breaks, welcome/introductions, and business meetings.

2. Direct Hands ~~on~~ On: For purposes of these rules direct "hands on" patient care includes occupational therapy assessment, treatment planning, occupational therapy implementation and diagnostic related information.

~~(6) (4)~~ A licensee who is licensed during the second year of the biennium is not required to meet continuing education requirements for that renewal period.

(5) Prior approval of continuing education courses is not required. Each licensee randomly selected for a CE audit must submit to the Board supporting documentation as specified in this rule.

~~(7) (5) (6)~~ Acceptable professional continuing education activities shall include activities relevant to occupational therapy practice that can be deemed to update or enhance

Occupational Therapy Board Meeting
March 17, 2006

knowledge and skills required for competent performance beyond general entry level occupational therapy and that include a verifiable way to document time spent in the learning activity.

~~(8) (6) The Board may consider exceptions to the above continuing education requirements if pre-approval is requested and justified.~~

~~(9) (7) Prior approval of courses for continuing education is not required. The Board may approve continuing education upon request from a licensee or provider. Each licensee must still submit the documentation requirements for continuing education, and related fee.~~

~~(a) A provider may complete an Application for Approval of Continuing Education Program by the Georgia State Board of Occupational Therapy and submit a program description, program objectives, detailed time schedule, speakers' names and qualifications and sample certificate or proof of attendance. The provider shall identify a contact person, sponsoring person or agency, program title, location, date, target audience, type of program and number of contact hours requested.~~

~~(b) Upon review of the completed application, the Board shall notify the provider as to the number and category of approved contact hours. The Board shall make information about approved programs available to licensees.~~

~~(10) (8) (7) Documentation of continuing education which the Board deems as acceptable proof of completion include the following:~~

~~(a) For continuing education courses that include attendance and participation at a presentation such as a workshop, seminar, conference or in-service educational program:~~

~~1. A certificate of completion or similar documentation signed by program official and a program description including sponsor, course title, date, program objective/learning outcomes, content description, agenda or schedule.~~

~~2. A shortened description may be accepted for programs specifically exempted by the Board such as AOTA and GOTA Conferences; and~~

~~(b) Formal self study, viewing of videotapes in a professional setting, satellite broadcasts, or computer learning activities that must include:~~

~~1. Verified instructional time by the course sponsor; a certificate of completion or similar documentation signed by program official; and~~

~~2. A program description including sponsor, course title, date, program objective/learning outcomes, content description~~

~~(c) For general education under 671-3-.08 (5)-(3) (b) documentation must include:~~

~~1. How activity relates to occupational therapy~~

~~2. Date and clock hours~~

~~3. Other information as may be requested~~

~~(d) For Level II Fieldwork Supervision involving serving as the primary clinical fieldwork educator for Level II occupational therapy or occupational therapy assistant fieldwork students:~~

~~1. Verification provided by the school to the fieldwork educator with the name of the student, school and dates of fieldwork or the signature page of the completed student evaluation form with evaluation scores and comments blocked out and;~~

~~2. A description of the fieldwork including name and type of facility, name of the fieldwork educator and times spent in direct supervision of the student.~~

~~(e) For professional presentations to include first time or significantly revised presentation or an academic~~

~~class session, workshop, seminar, in-service or professional meeting program session:~~

~~1. Verification of presentation or formal thank you note signed by the sponsor or program~~

official and;

2. Presentation description including location, title, date, hours of presentation, general content description, and type of audience.

(f) Continuing education listings should be documented on the appropriate board form, available on the website.

~~(11)-(9)~~ (8) Procedure for verifying to the Board that the continuing education requirements for licensure renewal have been met:

(a) Respond appropriately to renewal questionnaire.

(b) Retain documentation in personal files and submit to the Board if selected for audit.

(c) Documentation as specified in 671-3-.08~~(9)~~ (7) must be maintained by the licensee for no less than three (3) years from the beginning date of the licensure period.

Authority O.C.G.A §§ 43-1-19, 43-28-7, 43-28-8 and 43-28-14.

671-4-.01 Ethics of Occupational Therapy. Amended

Ms. Cadaret moved and Ms. Austin seconded and the Board voted that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A § 43-28-7.

Ms. Cadaret moved and Ms. Austin seconded and the Board voted that it is not legal or feasible to meet the objectives of O.C.G.A. § 43-28-7 to adopt or implement differing actions for businesses as listed at O.C.G.A. § 50-13-4(3)(A),(B),(C),&(D) and that the formulation and adoption of this rule will impact every licensee in the same manner and each licensee is independently licensed, owned and operated in the field of Occupational Therapy.

Ms. Cadaret moved and Ms. Austin seconded and the Board voted to re-post the Notice of Intent to Adopt and Notice of Hearing, upon receipt of the Attorney General's authorization, for the proposed rule change to rule 671-4-.01 for no less than 30 days prior to next scheduled meeting when the Board will consider the adoption of the proposed rule change.

671-4-.01 Ethics of Occupational Therapy. Amended

The following Code of Ethics is hereby adopted by the Board to govern and serve as a guide for the conduct of licensed Occupational Therapists and Occupational Therapy Assistants in the practice of occupational therapy in this state. Reviews of numerous documents and guidelines published on occupational therapy ethics, including the American Occupational Therapy Association, Inc. (A.O.T.A.) Code of Ethics, were utilized in the preparation of the following. Each licensed Occupational Therapist and Occupational Therapy Assistant shall:

(1). Licensed occupational therapists and occupational therapy assistants are expected to adhere to the code of ethics as adopted and published by the Board;

(2). Demonstrate concern for the safety and well-being of the recipients of their services and ensure services and fees are provided in a fair and equitable manner;

(3). Take measures to ensure each recipient's safety and avoid imposing or inflicting harm, avoid exploitation in any manner in therapeutic relationships, use professional judgment and objectivity at all times, avoid any compromise in the provision of services, and accept responsibility for professional actions;

- (4). Respect recipients, assuring their rights and observing confidentiality at all times;
- (5). Strive to achieve and continually maintain high standards of competence and take responsibility for competence through professional development and educational activities;
- (6). Comply with laws and rules of the State of Georgia and the Georgia State Board of Occupational Therapy, encourage peers to adhere to the Code of Ethics of the profession, and report any breaches of the Code of Ethics to the proper authority;
- (7). Provide accurate and complete information when representing the profession; and
- (8). Treat all colleagues and other professionals with respect, fairness, discretion and integrity.

Authority O.C.G.A §§ 43-28-7

Minutes: Ms. Cadaret moved, Ms. Austin seconded and the Board voted to approve as amended the Board Meeting Minutes from January, 20, 2006.

Correspondence:

The Board considered the following correspondence and matters of interest:

Amber Wydner, OTR/L: What certification does an OTR need to perform aquatics therapy in Georgia? **Board Response:** There is no specific additional certification required. Inquire with her facility what certification they may require.

Robyn Crouse : Where a school system bills Medicaid for services provided by an OT, do you need a doctor's order for occupational therapy services before services are rendered and billed? **Board Response:** Refer to the rule 671-2-.04, and, refer to Medicaid Rules and Regulations.

Lauren Sue Scholar: In the state of Georgia does an occupational therapist need a doctor's order to perform therapy on a patient? **Board Response:** Refer to the rule 671-2-.04.

Probation Report:

Brenda Johnson: Informed the board that I had talked with Ms. Johnson and informed her that she has to have her fine paid by April 24, 2006 and her (4) hours of CE for probation required in her Consent Order by January 24, 2007.

Student Loan Default:

Tricia M. Curtis: Ms. Cadaret moved and Ms. Conyers seconded and the Board voted to suspend license until student loan has been paid.

Liaison Report:

Mr. Mohanty asked questions pertaining to Physical Agent Modalities and was satisfied with the Board's response.

Executive Director's Report:

Mr. Zimmerman provided the Board with information on the following:

- AOTA Conference in June 2006: Board voted for Karen Cadaret to attend as the Boards representative.

Occupational Therapy Board Meeting

March 17, 2006

- Discussion of development of a standardized "Letter of Concern" for Licensees/Applicants presented to the Board that report DUI/DWI's.
- Discussion and request by the Board for Applications Specialist II Gadson to develop a standard Continuing Education Reporting Form for placement on the websites "download forms" link to assist licensee's in reporting their CE hours to the Board.

Cognizant Member's Report:

OT060007: Ms. Domyslawski moved and Ms. Cadaret second and the Board voted to forward to Enforcement.

Enforcement Report:

No Report

Attorney General's Report:

No Report

Physical Agent Modality

The Board discussed licensees who responded to notification from the Board regarding limited certification in modality.

The Board voted to separate those with certain codes and research the requirements in applying and receiving "All Modalities". Those with codes that are considered "All Modality" would be changed in the system.

The Board discussed allowing the Board Chair time to research and respond back to the Board at the May 2006 meeting.

Applications:

Ms. Austin moved and Ms. Conyers seconded and the Board voted to take the following action on Licensure by Application:

Carol Marie Hatt	Approved Pending
Michael M. Sheedy	Approved Pending

Ms. Austin moved and Ms. Domyslawski seconded and the Board voted to take the following action on Licensure by Restoration:

Karen Elaine Harris	Approved
---------------------	----------

Ms. Conyers moved and Ms. Cadaret seconded and the Board voted to take the following actions on Certifications of Physical Agent Modalities:

Debra Secrest	Approved
Alma Eugenia Herbst	Approved
Tammy Fugatt Ziemba	Approved
April Sunshine Evans	Approved
Sharon Kay Hennigan	Approved

Occupational Therapy Board Meeting
March 17, 2006

Adrian Carlyle Ellis	Approved
Tiffany Anne Loewe	Approved
Hope Renee Jones	Approved
Christopher D. Morehead	Approved Pending
Teneshia Patrice Geiger	Approved
Robert P. Ferris, II	Approved
Robert Paul Augustine	Approved Pending
Monica Rowell Burleson	Approved
Jamie Elizabeth Empert	Approved
Kathryn A. Farris	Approved
Jesses John Gonzalez	Approved
Molly C. Stauffer	Approved Pending
Aurick Z. Woods	Approved
Pamela Wichner-Kluender	Approved Pending
Karen S Whitten	Approved
Christopher Stroh	Disapproved

Ms. Domyslawski moved and Ms. Conyers seconded and the Board voted to approve the following reinstatements determined to have met licensure requirements as follows:

License No.	Licensee Name	Profession	Issue Date
OT002935	Grainger, Colleen Evelyn	Occupational Therapist	1/27/2006
OTA000473	Johnson, April Marie	Occupational Therapy Assistant	1/27/2006

Ms. Domyslawski moved and Ms. Conyers seconded and the Board voted to approve the issuance of letters of authority as follows:

Name	Profession	Issue Date
Smith, Jacob J.	Occupational Therapy Assistant	1/31/2006
Roger, Ann Marie	Occupational Therapy Assistant	3/15/2006
Patel, Dipka N.	Occupational Therapist	3/15/2006

Ms. Domyslawski moved and Ms. Conyers seconded and the Board voted to approve applications for Occupational Therapy Assistant licensure by application determined to have met licensure requirements as follows:

License No.	Licensee Name	Profession	Issue Date
OTA000919	Burts, Susan Sullivan	Occupational Therapy Assistant	1/12/2006
OTA000920	Loughridge, Summer Nicole	Occupational Therapy Assistant	1/12/2006
OTA000921	Miller, Jennifer Rae	Occupational Therapy Assistant	1/26/2006
OTA000922	Simmons, Cynthia Frances	Occupational Therapy Assistant	1/31/2006
OTA000923	Atkinson, Adney A.	Occupational Therapy Assistant	1/31/2006
OTA000924	Tapia, Frances Nayomie	Occupational Therapy Assistant	2/2/2006
OTA000925	Bryant, Jason	Occupational Therapy Assistant	2/3/2006
OTA000926	Dennis, Jennifer Carol Roland	Occupational Therapy Assistant	2/3/2006
OTA000927	Washington, Cleopatra Elizabeth	Occupational Therapy Assistant	2/16/2006
OTA000928	Clark, Elaine Christine	Occupational Therapy Assistant	3/16/2006

Occupational Therapy Board Meeting
March 17, 2006

Ms. Domyslawski moved and Ms. Conyers seconded and the Board voted to approve applications Occupational Therapist licensure by application determined to have met licensure requirements as follows:

License No.	Licensee Name	Profession	Issue Date
OT004295	Lee, Deandrea Vontrese	Occupational Therapist	1/12/2006
OT004296	Rogers, Susan Harris	Occupational Therapist	1/12/2006
OT004297	JeanLouis, Dionne Lynette	Occupational Therapist	1/12/2006
OT004298	Patalano, Deborah Ann	Occupational Therapist	1/13/2006
OT004299	McKinney, Lisa Rice	Occupational Therapist	1/27/2006
OT004300	Wilcox, Ann Marie Dora	Occupational Therapist	1/31/2006
OT004301	Wessels, Benjamin Don	Occupational Therapist	1/31/2006
OT004302	Maryman, Tasha Victoria	Occupational Therapist	1/31/2006
OT004303	Mancil, Jonathon Wayne	Occupational Therapist	1/31/2006
OT004304	Loewe, Tiffany Anne	Occupational Therapist	1/31/2006
OT004305	Stewart, Heather Christine	Occupational Therapist	2/6/2006
OT004306	Chiasson, Gregory Jude	Occupational Therapist	2/7/2006
OT004307	Farnet, Rachel P	Occupational Therapist	2/7/2006
OT004308	Mencey, Faye	Occupational Therapist	2/16/2006
OT004309	Lawrence, Claudette Audrey	Occupational Therapist	2/16/2006
OT004310	Holtzclaw, Sandra Dean	Occupational Therapist	2/16/2006
OT004311	Hennek, Darci Dyer	Occupational Therapist	2/16/2006
OT004312	Swofford, Sarah Michelle	Occupational Therapist	2/17/2006
OT004313	Augustine, Robert Paul	Occupational Therapist	2/17/2006
OT004314	Robinson, Robyn Elayne	Occupational Therapist	2/27/2006
OT004315	Hodgson, Melinda Tucker	Occupational Therapist	3/2/2006
OT004316	Fahlgren, Kimberly Joyce	Occupational Therapist	3/6/2006
OT004317	Sitaras, George Andrew	Occupational Therapist	3/6/2006
OT004318	Brocklehurst, Angelika W.	Occupational Therapist	3/6/2006
OT004319	Harvey, Kevin Jerome	Occupational Therapist	3/6/2006
OT004320	Lupardus, Amy N	Occupational Therapist	3/10/2006
OT004321	Herbers-Sanger, Martha Annette	Occupational Therapist	3/10/2006
OT004322	Fuhrman, Laura Liebowitz	Occupational Therapist	3/13/2006
OT004323	Labrador-Chin, Stephanie	Occupational Therapist	3/15/2006
OT004324	Barnes, Ronnie Edward	Occupational Therapist	3/15/2006
OT004325	Wolf, Laura Ross	Occupational Therapist	3/15/2006
OT004326	Stresino, Charles Louis	Occupational Therapist	3/15/2006
OT004327	Gray, Peggy E.	Occupational Therapist	3/15/2006
OT004328	Gagne, Lisa Marie	Occupational Therapist	3/15/2006
OT004329	Thompson, Laura Ellen	Occupational Therapist	3/15/2006
OT004330	Nelson, Shayne Marie Whigham	Occupational Therapist	3/16/2006
OT004331	Johnson, Erik Stephen	Occupational Therapist	3/16/2006

Ms. Domyslawski moved and Ms. Austin seconded and the Board adjourned the meeting at 2:10 p.m.

Minutes recorded by:

Minutes reviewed and edited by:

Calandra Burke, Board Secretary

Brig Zimmerman, Executive Director

Kendyl Brock, President

Brig Zimmerman, Executive Director